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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/731,414   | 12/09/2003  | William L. Bong      | ARC 03.002.CON      | 3937             |
| 7590   | 10/14/2005  |                      | EXAMINER            |                  |
| Michael A. Kerr<br>Virtual Legal<br>Suite 211<br>777 E. William St.<br>Carson City, NV 89701 |             |                      | SHAW, CLIFFORD C    |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1725                |                  |
| DATE MAILED: 10/14/2005  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/731,414

Applicant(s)

BONG ET AL.

Examiner

Clifford C. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,7 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,7 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1.) The specification and the oath are objected to. In the first paragraph of the specification, applicant states that the instant application is a continuation-in-part of application serial number 09/058,741, but applicant makes no mention of parent case 09/804,686. The instant application was filed as a continuation of 09/804,686, but applicant's oath makes no mention of application of C-I-P parent 09/058,741. Applicant is to amend the specification and provide a supplemental oath to reflect complete continuation data for the instant application.

2.) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3.) Claims 1, 3, 7, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Omae et al. (4,163,886). Figure 3 and the discussion thereof in the patent to Omae et al. (4,163,886) disclose a welding system with features claimed, including: an operator control panel comprised of elements 7 and 8; welding modules at 13, 20, 25, 30, and 35; a common bus at elements 9 and 10, as claimed.

4.) Claims 2 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omae et al. (4,163,886) taken with Marhofer et al. (5,932,123). The only aspect of the claims to which the rejection above does not apply is the provision for communication of feedback from the power supply to the control module. This difference does not patentably distinguish over the

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prior art. At the time applicant's invention was made, it would have been obvious to have provided the system of Omae et al. (4,163,886) with the feedback communication claimed, the motivation being the teachings of Marhofer et al. (5,932,123) that such is advantageous in a computer controlled welding system (see the voltage and current feedback in figures 2 and 6 and the discussion at column 5, line 49 through the end of column 6 and at column 9 in Marhofer et al. (5,932,123)).

5.) The patents to Fihey et al. (4,959,523) and to Watanabe et al. (6,177,650) are cited to show prior art welding systems that include an operator control panel, a welding module, and a common bus there between.

6.) Applicant's arguments filed on 6/15/2005 have been fully considered but they are not persuasive. The claims are considered unpatentable for the reasons set forth above.

7.) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37


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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Thomas G. Dunn, can be reached at 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Clifford C Shaw  
Primary Examiner  
Art Unit 1725

October 13, 2005